

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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Court Minutes

December 10, 2007

C050078 THE PEOPLE v. MARTEN (Not for Publication)

The judgment is affirmed.
RAYE, Acting P.J.
We Concur: Robie, J.
Butz, J.

C052634 THE PEOPLE v. POTTER (Not for Publication)

C053349 THE PEOPLE v. CEJAS
The judgments are affirmed.
MORRISON, J.
I Concur: Butz, J.
I concur in affirming the judgment ...
SCOTLAND, P.J.

C053540 THE PEOPLE v. THLANG (Not for Publication)

The judgment is modified to reflect a sentence of life imprisonment with the possibility of parole with a minimum term of 25 years ... to count 1 and 10 years for ... the stayed counts 2 and 3. The trial court is directed to send a certified copy of an amended abstract of judgment to the Department of Corrections and Rehabilitation in accordance with this modification. As so modified, the judgment is affirmed.
BUTZ, J.
We Concur: Scotland, P.J.
Nicholson, J.

**C053866 CALIFORNIA FORESTRY ASSOCIATION
et al. v. FISH & GAME COMMISSION et al.;
CALIFORNIA TROUT INC. et al.**

BY THE COURT:
Appellant's petition for rehearing is denied.
ROBIE, Acting P.J.

December 11, 2007

C045737 THE PEOPLE v. SINDORF (Not for Publication)

The upper term sentence on count two is vacated. In all other respects the judgment is affirmed. The case is remanded to the trial court with directions to resentence defendant on count two in a manner consistent with the amendments to the Determinate Sentencing Law adopted by the Legislature.
CANTIL-SAKAUYE, J.
We Concur: Sims, Acting P.J.
Davis, J.

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Court Minutes

December 11, 2007, continued

- C050797 THE PEOPLE v. GRESSETT (Not for Publication)**
The judgment is reversed. The matter is remanded to the trial court for further proceedings consistent with this opinion.
SCOTLAND, P.J.
We Concur: Nicholson, J.
Raye, J.
- C050942 THE PEOPLE v. PHELPS (Not for Publication)**
The judgment is affirmed.
SCOTLAND, P.J.
I Concur: Robie, J.
In my view, the appeal should be dismissed ...
NICHOLSON, J.
- C051764 THE PEOPLE v. MENDOZA (Not for Publication)**
The judgment is affirmed.
BUTZ, J.
We Concur: Blease, Acting P.J.
Davis, J.
- C053175 THE PEOPLE v. DORRIS (Not for Publication)**
The judgment is affirmed.
CANTIL-SAKAUYE, J.
We Concur: Davis, Acting P.J.
Butz, J.
- C053309 THE PEOPLE v. DAVEY (Not for Publication)**
The judgment is affirmed.
RAYE, J.
We Concur: Nicholson, Acting P.J.
Morrison, J.
- C053422 THE PEOPLE v. LUCERO (Not for Publication)**
The judgment is affirmed.
HULL, J.
We Concur: Blease, Acting P.J.
Davis, J.
- C053459 THE PEOPLE v. LUGO (Not for Publication)**
The judgment is affirmed.
BLEASE, Acting P.J.
We Concur: Nicholson, J.
Hull, J.

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Court Minutes

December 11, 2007, continued

- C054062 THE PEOPLE v. COLLINS (Not for Publication)**
The appeal is dismissed to the extent it challenges the validity of the plea without defendant having obtained a certificate of probable cause. To the extent the appeal challenges the trial court's exercise of discretion in terminating defendant's probation and sentencing him to state prison, it lacks merit. Accordingly, the judgment is affirmed.
SCOTLAND, P.J.
We Concur: Sims, J.
 Morrison, J.
- C054179 THE PEOPLE v. GALINDO (Not for Publication)**
The judgment is affirmed.
NICHOLSON, J.
We Concur: Blease, Acting P.J.
 Davis, J.
- C054861 THE PEOPLE v. CAMACHO (Not for Publication)**
The judgment is affirmed. The trial court is directed to correct the abstract of judgment to reflect 586 days of custody credit and 292 days of conduct credit The court shall forward a certified copy of the corrected abstract to the Department of Corrections and Rehabilitation.
CANTIL-SAKAUYE, J.
We Concur: Scotland, P.J.
 Hull, J.
- C055100 THE PEOPLE v. NELMS (Not for Publication)**
The conviction on count two ... is reversed. The conviction on count one ... is affirmed. The matter is remanded to the trial court If the court chooses to amend the information and enter the new conviction, the sentence imposed on count one must be stayed, with the stay to become permanent upon completion of the term imposed on the revised count two. If the court chooses not to amend the information and enter a new conviction, defendant must be resentenced on count one alone. In either event, presentence credits must be recalculated. The trial court shall prepare a new abstract of judgment reflecting the changes made and forward a copy to the Department of Corrections and Rehabilitation.
HULL, J.
We Concur: Blease, Acting P.J.
 Davis, J.

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Court Minutes

December 11, 2007, continued

- C055358 THE PEOPLE v. RUNNER (Not for Publication)**
The judgment is affirmed. The trial court is directed to correct the abstract of judgment to show that the section 11370.2, subdivision (c) enhancement relates to count 3 and to forward the corrected abstract to the Department of Corrections and Rehabilitation.
CANTIL-SAKAUYE, J.
We Concur: Blease, Acting P.J.
 Morrison, J.
- C053231 In re DONALD H. and KAREN A.; (Not for Publication)**
DONALD H. v. KAREN A.
Those portions of the trial court's May 19 order modifying custody and visitation are reversed, leaving only that portion terminating the stipulated order for therapy. The matter is remanded for further proceedings consistent with the views expressed in this opinion. Mother is entitled to her costs on appeal.
HULL, J.
We Concur: Blease, Acting P.J.
 Davis, J.
- C053693 In re S.R.; THE PEOPLE v. S.R. (Not for Publication)**
The judgment is affirmed.
ROBIE, J.
We Concur: Blease, Acting P.J.
 Morrison, J.
- C054244 In re H.N.; THE PEOPLE v. H.N. (Not for Publication)**
The order of the juvenile court is affirmed.
NICHOLSON, J.
We Concur: Blease, Acting P.J.
 Davis, J.
- C052761 THE PEOPLE v. SULLIVAN et al. (Not for Publication)**
THE COURT:
It is ordered that the opinion filed herein on November 29, 2007, be modified ...
... This modification changes the judgment.
Defendant Sullivan's petition for rehearing is denied.
FOR THE COURT:
DAVIS, Acting P.J.
Robie, J.
Butz, J.

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Court Minutes

December 12, 2007

- C054310 LYNCH et al. v. BOX (Not for Publication)**
The judgment (order) is reversed. The parties shall bear their own costs on appeal. ...
HULL, J.
We Concur: Scotland, P.J.
Cantil-Sakauye, J.
- C055150 In re KASIA B.; SACRAMENTO COUNTY (Not for Publication)**
DEPARTMENT OF HEALTH AND HUMAN
SERVICES v. RUSSELL B.
The orders of the juvenile court are affirmed.
BLEASE, Acting P.J.
We Concur: Davis, J.
Nicholson, J.

December 13, 2007

- C054351 THE PEOPLE v. THOMPSON (Not for Publication)**
The judgment is affirmed.
CANTIL-SAKAUYE, J.
We Concur: Scotland, P.J.
Nicholson, J.
- C054431 THE PEOPLE v. LOPEZ (Not for Publication)**
The judgment is affirmed.
SCOTLAND, P.J.
We Concur: Sims, J.
Robie, J.
- C054796 In re CARESSA L.; SACRAMENTO (Not for Publication)**
C055508 COUNTY DEPARTMENT OF HEALTH
AND HUMAN SERVICES v. FRANCES L.
The orders of the juvenile court are affirmed.
HULL, J.
We Concur: Scotland, P.J.
Cantil-Sakauye, J.

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Court Minutes

December 13, 2007, continued

C053456 AMES v. BENITO et al.

BY THE COURT:

Appellant's motion for reconsideration is denied.
DAVIS, Acting P.J.

C057387 SINGH v. U-SAVE RENTAL INC. et al.

BY THE COURT:

Petitioner's request to set aside the dismissal of appeal is denied. The instant appeal is "new litigation" within the meaning of Code of Civil Procedure section 391.7. ...
SCOTLAND, P.J.

December 14, 2007

MISC. ORDER 2007-021

BY THE COURT:

Associate Justice Harry Hull is appointed to serve as Acting Presiding Justice to discharge the duties described in the California Rules of Court, rule 10.1004, 10.1012, and 10.1016, during the absence of the Presiding Justice from the court on December 17, 2007, or until his return. (See Cal. Const. art. VI, §3.) The senior member of a panel of the court is designated the Acting Presiding Justice of that panel during the absence of the Presiding Justice.
SCOTLAND, P.J.

C053493 THE PEOPLE v. SOLIS

(Not for Publication)

The judgment is affirmed.
BUTZ, J.

We Concur: Davis, Acting P.J.
Robie, J.

C053985 THE PEOPLE v. KECHLOIAN

(Not for Publication)

The judgment is affirmed.
CANTIL-SAKAUYE, J.

We Concur: Scotland, P.J.
Nicholson, J.

C055171 THE PEOPLE v. GUERRA

(Not for Publication)

The judgment is affirmed.
BLEASE, Acting P.J.

We Concur: Butz, J.
Cantil-Sakauye, J.

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December 14, 2007, continued

C055641 THE PEOPLE v. PETTWAY (Not for Publication)

The judgment is affirmed.

RAYE, J.

We Concur: Sims, Acting P.J.

Butz, J.

C052029 THE PEOPLE v. BARKSDALE

BY THE COURT:

Appellant's petition for rehearing is denied.

BLEASE, Acting P.J.